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November 16, 2015

**VIA ELECTRONIC MAIL**

The Honorable Valerie E. Caproni  
United States District Judge, S.D.N.Y.  
40 Foley Square, Room 240  
New York, New York 10007

**Re: *Highline Capital Management, LLC v. High Line Venture Partners, et al.*,  
C.A. No. 15-cv-660 (VEC) (SDNY)**

Dear Judge Caproni:

We represent defendants High Line Venture Partners, et al. ("High Line"). Today, November 16, High Line electronically filed a redacted version of High Line's *Proposed Findings of Fact and Conclusions of Law; Pre-Trial Motion*; Exhibits B-E accompanying *Declaration of Erik C. Kane* in support of High Line's Motion in Limine #1; and exhibits B-C accompanying *Declaration of Susanna P. Lichter* in support of High Line's Motion in Limine #2. High Line also emailed to your Honor's chambers and opposing counsel an unredacted copy of the filing and exhibits.

Pursuant to Section 4.A of Your Honor's Individual Practices in Civil Cases and Section 15 of the Court's Protective Order (Dkt. 43-2), High Line requests permission to file under seal unredacted copies of the aforementioned filings. The redactions reflect deposition testimony as well as information taken from documents that opposing counsel has designated as "Attorneys' eyes only" or "Confidential" pursuant to the protective order in this case. (Dkt.43-2).

In High Line's unredacted filings, it cites to a number of facts regarding Plaintiff's funds that appear to be non-public, including criteria for investing in its hedge funds, financial information concerning redemptions, lock up periods, and other aspects of the operation of Plaintiff's funds. Because Plaintiff has designated this information confidential or attorney eyes only pursuant to the protective order, Plaintiff has determined such information would put it at a competitive disadvantage if the information became known to third parties. (Dkt. 43-2, §3). As such, based on Plaintiff's representation, there is a compelling need to seal such information that overrides the presumption of public access. To address the public's need, High Line has redacted only the specific portions of the motions and exhibits that contain confidentially designated information and publicly filed redacted versions showing the vast majority of the filings.

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High Line has met and conferred with opposing counsel and they have agreed to join in this request that High Line be allowed to file its motions and exhibits under seal. To that end, High Line respectfully requests an order to file under seal the unredacted documents.

Respectfully,

*/s/ Jonathan W. Thomas*  
Jonathan W. Thomas